



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (7 U.S.C. 2321 ET SEQ.)

PEA

'Pomak'

In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 18th day of December in
the year of our Lord one thousand nine
hundred and eighty.

Attest:

Edward K. Lee
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

W. R. Reynolds
Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY XP-C102		1b. VARIETY NAME <i>Pomak</i> <i>Wisca</i>		FOR OFFICIAL USE ONLY PV NUMBER 8000115	
2. KIND NAME Garden Pea		3. GENUS AND SPECIES NAME Pisum sativum		FILING DATE 5/12/80	TIME 3:30 <input checked="" type="radio"/> P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION 1978 August		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 5/12/80 8/5/80
6. NAME OF APPLICANT(S) Asgrow Seed Company		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 9620-190-1 Kalamazoo, MI 49001		8. TELEPHONE AREA CODE AND NUMBER 616-385-6605	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware		11. DATE OF INCORPORATION March 22, 1968
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: John A. Batcha Asgrow Seed Company 9620-190-1 Kalamazoo, MI 49001					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- 13B. Exhibit B, Novelty Statement.
- 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) YES NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? YES NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? FOUNDATION REGISTERED CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? YES NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

March 18, 1980

(DATE)

John A. Batcha

(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

EXHIBIT A: Origin and Breeding History of ^{Wilson} XP-C102 Garden Pea.
Pomak

The original cross, made in summer 1972 was between two breeding lines, Bonus x Mars and Champ x Neptune. In 1977 a small increase was made from a promising F₆ family and in 1978 following observation, yield trial and further increase, this line was designated XP-C102.

^{Pomak}
^{Wilson}
The basic stock seed of ~~XP-C102~~ was produced in 1978 from approximately 200 progenies derived from single vine selections. These progenies were generally very uniform, but any progenies suspected of being offtype were eliminated.

^{Pomak}
^{Wilson}
Observations indicate ~~XP-C102~~ is uniform and stable.

JE7800815
JE7801027

Pomak
Wiscon
EXHIBIT B: Novelty Statement Concerning ~~XP-C102~~ Garden Pea.

Wiscon
~~XP-C102~~ is unique as a canner pea for its late season of maturity and because it is triple-podded. To our knowledge, the commercial varieties most similar to ~~XP-C102~~ are the canner peas, EP8221 and Trojan, and the freezer pea Bolero. Comparative characteristics that make ~~XP-C102~~ a distinct variety include, but are not necessarily restricted to the following:

1. The size of the fresh berries is one-half sieve size smaller for ~~XP-C102~~ than for Trojan or Bolero. (Table)
2. ~~XP-C102~~ is a canner, whereas Bolero is a freezer.
3. ~~XP-C102~~ is 150 heat units later to processing maturity than EP 8221, 120 heat units later than Trojan and 80 heat units later than Bolero. (Table)
4. ~~XP-C102~~ is triple-flowered and generally triple-podded, whereas EP 8221 and Trojan are double-podded.

JE 7 800815
JE 7 801027

8000115

1978 Trial Data at 115 Tenderometer:

<u>Variety</u>	<u>Degree Days</u>	<u>Average Sieve Size</u>	<u>Yield (lbs./acre)</u>
^{Wilson} XP-C102 Pomak	1540	3.5	10,400
EP 8221	1410	4.0	9,500
Trojan	1440	4.2	9,400
Nugget	1460	3.0	6,100
Bolero	1500	4.1	11,100

1979 Trial Data at 115 Tenderometer:

<u>Variety</u>	<u>Degree Days</u>	<u>Average Sieve Size</u>	<u>Yield (lbs./acre)</u>
^{Wilson} XP-C102 Pomak	1570	3.5	10,900
EP 8221	1390	3.6	7,800
Trojan	1430	4.0	8,000
Nugget	1420	2.9	5,600
Bolero	1440	4.1	10,700

SET 800815
SET 801027

Asgrow Seed Company
Plant Variety Protection
XP-C102 ^{Wilson} Pomak
March 18, 1980



Asgrow Seed Company

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80-115

Transfer of Plant Variety Protection Act Rights

Asgrow Seed Company, a Delaware Corporation with its principle place of business at 2605 E. Kilgore Road, Kalamazoo MI 49001, is the owner of the Plant Variety Protection Act Certificates and applications for certificates listed on and attached as Exhibit A to this document (the "Certificates and Applications").

For good and valuable consideration, receipt of which is hereby acknowledged, Asgrow hereby transfers all of its right, title and interest in and to the Certificates and Applications and to all rights relating thereto under the Plant Variety Protection Act to Seminis Vegetable Seeds, Inc., a California corporation, whose principle place of business is at 1905 Lirio Street, Saticoy, CA 93007-4206.

Dated: January 31, 1997

Asgrow Seed Company

By: Norman A Braksik
Norman A. Braksik
President

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705
OBJECTIVE DESCRIPTION OF VARIETY
PEA (PISUM SATIVUM)

NAME OF APPLICANT(S)

Asgrow Seed Company

ADDRESS (Street and No. or R. F. D. No., City, State, and ZIP Code)

9620-190-1
Kalamazoo, MI 49001

VARIETY NAME OR TEMPORARY DESIGNATION

Pomar XP-C102
set 8/27 set 8/15

FOR OFFICIAL USE ONLY

PVPO NUMBER

8000115

Place the appropriate number that describes the varietal character in the boxes below.

Place a zero in first box (e.g., 089 or 09) when number is either 99 or less or 9 or less.

1. TYPE:

1 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

16 Node number of first bloom: 075 No. of days to processing 1570 Heat Units

No. of days Earlier than 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

06 No. of days Later than 4 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

070 CM. HIGH

Cm. Shorter than 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

04 Cm. Taller than 4 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

1 Habit: 1 = DETERMINATE 2 = INDETERMINATE 2 Stockiness: 1 = SLIM (Alaska) 3 = HEAVY (Alderman)
2 = MEDIUM (Thomas Laxton WR)

2 Branching: 1 = NONE (Alaska) 2 - 1-2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

2 Internodes: 1 = STRAIGHT 2 = ZIG ZAG 24 NUMBER OF NODES

5. LEAFLETS:

2 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman)
4 = OTHER (Specify)

2 Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 1 1 = NOT MARBLED 2 = MARBLED (Alaska)
4 = HEAVY

3 Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

2 1 = LACKING 2 = PRESENT 2 1 = NOT CLASPING 2 = CLASPING

1 1 = NOT MARBLED 2 = MARBLED 3 Size (Compared with leaflets): 1 = SMALLER 2 = SAME
3 = LARGER

2 Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

1 VENATION 1 STANDARD 1 WING 1 KEEL 1 = WHITE 2 = GREENISH 3 = LAVENDER
4 = PURPLE 5 = RED
6 = OTHER (Specify)

8. PODS:

Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)
 3 = CURVED
 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman)
 4 = OTHER (Specify) _____
 Surface: 1 = SMOOTH 2 = ROUGH Surface: 1 = SHINY 2 = DULL
 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE
 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____
 CM. LENGTH MM. WIDTH (Between sutures) NO. SEEDS PER POD

9. SEEDS (95--100 Tenderometer):

Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Sieve: % AVERAGE

SEEDS (Dry, Mature):

Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED
 Surface: 1 = SMOOTH 2 = DIMPLED Surface: 1 = SHINY 2 = DULL
 3 = WRINKLED
 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED
 Primary Color: 1 = CREAMY-WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN
 5 = DARK GREEN 6 = BLUE-GREEN 7 = YELLOW 8 = BROWN 9 = RED
 Secondary Color: 10 = GRAY 11 = BLACK
 Hilum Floor Color: 1 = WHITE 2 = TAN Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 3 = BLACK
 GRAMS PER 100 SEEDS

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

FUSARIUM WILT NEAR-WILT DOWNY MILDEW
 ASCOCHYTA BLIGHT POWDERY MILDEW BACTERIAL BLIGHT
 MOSAIC PEA ENATION MOSAIC YELLOW BEAN MOSAIC
 OTHER (Specify) _____

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

APHIDS OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	EP 8221	Fresh Seed Color	EP 8221
Leaf Color	Thomas Laxton	Mature Seed Color	EP 8221
Pod Color	Thomas Laxton	Seed Shape	EP 8221
Pod Shape	EP 8221	Plant Habit	EP 8221

COMMENTS: